

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANTHONY P. CATANZARO,

Plaintiff,

v.

BARBARA HARNED, *et al.*,

Defendants.

NO. 3:17-CV-01487

(JUDGE CAPUTO)

(MAGISTRATE JUDGE MEHALCHICK)

ORDER

NOW, this 13TH day of November, 2017, upon review of the Report and Recommendation of Magistrate Judge Mehalchick (Doc. 5) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) Magistrate Judge Mehalchick's Report and Recommendation (Doc. 5) is **ADOPTED**.
- (2) The Complaint is **DISMISSED without prejudice** for failure to state a claim upon which relief can be granted.
- (3) Plaintiff's "Motion for Decision and Resolution of Appointment of Counsel Issue" (Doc. 12) is **DENIED** for the reasons set forth in the October 10, 2017 Memorandum and Order. (*See Docs. 8-9, generally*).
- (4) The Clerk of Court is directed to mark the case as **CLOSED**.


A. Richard Caputo
United States District Judge